



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

YONATAN JOSUE CASTANEDA-  
CAMPOS,  
Defendant.

Case No.: MJ 17-884  
ORDER OF DETENTION

I.

A. ( ) On motion of the Government in a case allegedly involving:

1. ( ) a crime of violence.
2. ( ) an offense with maximum sentence of life imprisonment or death.
3. ( ) a narcotics or controlled substance offense with maximum sentence of ten or more years.
4. ( ) any felony - where defendant convicted of two or more prior offenses described above.
5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

1 B. ( x ) On motion by the Government/( ) on Court's own motion, in a case  
2 allegedly involving illegal alien found in the United States following  
3 deportation:

4 ( x ) On the further allegation by the Government of:

5 1. ( x ) a serious risk that the defendant will flee.

6 2. ( ) a serious risk that the defendant will:

7 a. ( ) obstruct or attempt to obstruct justice.

8 b. ( ) threaten, injure or intimidate a prospective witness or  
9 juror, or attempt to do so.

10 C. The Government ( ) is/( x ) is not entitled to a rebuttable presumption that no  
11 condition or combination of conditions will reasonably assure the defendant's  
12 appearance as required and the safety of any person or the community.  
13

## 14 II.

15 A. ( x ) The Court finds by a preponderance of the evidence that no condition or  
16 combination of conditions will reasonably assure:

17 ( x ) the appearance of the defendant as required.

18 ( X ) and/or

19 ( x ) The Court finds by clear and convincing evidence that no condition or  
20 combination of conditions will reasonably assure:

21 ( x ) the safety of any person or the community.  
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23 B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence to  
24 the contrary the presumption provided by statute.  
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## 26 III.

27 The Court's findings are based on the information contained in the Pretrial Services  
28 Report, and a consideration of the following:

- 1 A. (X) the nature and circumstances of the offense(s) charged, including whether  
2 the offense is a crime of violence, a Federal crime of terrorism, or involves  
3 a minor victim or involves a controlled substance, firearm, explosive, or  
4 destructive device;
- 5 B. (X) the weight of evidence against the defendant is high;
- 6 C. (X) the history and characteristics of the defendant as set forth below in section  
7 V; and
- 8 D. (X) the nature and seriousness of the danger to any person or the community as  
9 set forth below in section V .

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11 IV.

12 The Court also has considered all the evidence adduced at the hearing and the  
13 arguments and/or statements of counsel, and the Pretrial Services  
14 Report/recommendation.

15  
16 V.

17 The Court bases the foregoing finding(s) on the following:

- 18 A. (x ) As to flight risk:

19 Defendant was previously deported on December 4, 2015 following a 2009 conviction for assault  
20 with a semi automatic firearm for which he was sentenced to 9 years imprisonment. Defendant returned  
21 to the United States without authorization and was found on or about February 26, 2017. Thus,  
22 Defendant has not demonstrated a willingness to abide by court orders and the Court is not convinced that  
23 the defendant will abide by its order to appear for future court appearances if released on bail. Moreover  
24 the prospective penalty that defendant faces, if convicted of the charged offense, supports a finding that  
25 release on bail will pose a flight risk because defendant will likely be deported after serving the sentence  
26 imposed, and the Court finds that, in conjunction with the other factors noted above, this will provide  
27 an incentive to flee the jurisdiction.

1 B. ( x ) As to danger:  
2 Defendant's criminal history includes a felony conviction for firearms violations and Defendant  
3 has admitted prior drug use. The Court finds that release on bail would pose a danger to others and to the  
4 community.

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2 **VI.**

- 3 A. ( ) The Court finds that a serious risk exists the defendant will:  
4 1. ( ) obstruct or attempt to obstruct justice.  
5 2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.  
6 B. The Court bases the foregoing finding(s) on the following:

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11 **VII.**

- 12 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.  
13 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the  
14 Attorney General for confinement in a corrections facility separate, to the extent  
15 practicable, from persons awaiting or serving sentences or being held in custody  
16 pending appeal.  
17 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity  
18 for private consultation with counsel.  
19 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on  
20 request of any attorney for the Government, the person in charge of the corrections  
21 facility in which defendant is confined deliver the defendant to a United States  
22 marshal for the purpose of an appearance in connection with a court proceeding.

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25 DATED: May 4, 2017

\_\_\_\_\_/s/  
ALKA SAGAR  
UNITED STATES MAGISTRATE JUDGE